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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,530	03/29/2001	Kenneth A. Parulski	75276DPRC	6412

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EXAMINER

WILSON, JACQUELINE B

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/821,530	Applicant(s) PARULSKI ET AL.	
	Examiner Jacqueline Wilson	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,10,11 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 8,9,12,13,20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/30/04, 05/24/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 2, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (US 5,861,918) and Haneda (US 6,243,171).**

Regarding Claim 1, Anderson et al teaches an image sensor (fig. 2, 224), an analog-to-digital converter (230), a removable memory (fig. 3, 354), and an internal memory (346). Anderson et al further teaches a processor (344) which controls the camera, such that when a user creates folders (as shown in figs. 7A and 7B) and/or creating a camera folder or directory, it is stored on the removable memory (col. 5, lines 31+). Anderson et al also states that when the removable memory is used in other cameras, another camera folder respective to the specific camera used is created and stored preventing image name conflicts. This is interpreted as utilization files separate from each other as well as from other image (see fig. 7B). Anderson et al also discloses a display (fig. 4) and a user interface (400, 406). With reference to figure 4, Anderson et al teaches the ability to scroll through the plurality of digital images, each having a identification name (see fig. 7B), stored on the removable memory (col.6, lines 27+) in

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which images can be marked, deleted, and viewed. Once the images are manipulated, marked, deleted, etc, they are stored in the respective utilization files on the removable memory for further processing as desired by the user. However, Anderson et al fails to teach the destination of the images in the utilization file are transferred to a service provider. However, Haneda teaches a service provider for generating print orders of images from a removable memory (col. 16, lines 2-7) having utilization files (figs. 19-23). This allows the user to select images previously captured and choose the number of prints to be generated. Therefore, it would have been obvious to one having ordinary skill to combine Haneda with Anderson et al for the purpose for transferring images to a desired location for services such as creating print orders.

Claim 2 is analyzed and discussed with respect to Claim 1, with the further limitation of selecting images in which Anderson teaches by using the user interface (fig. 4, 400) for marking images or deleting.

Claim 14 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 15 is analyzed and discussed with respect to Claim 2. (See rejection of Claim 2 above.)

3. Claims 3-7, 10-11, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (US 5,861,918), Haneda (US 6,243,171) in further view of Hashimoto et al (US 6,344,875).

Regarding Claim 3, although Anderson et al teaches an I/O interface (fig. 3, 348), the prior art fails to specifically disclose a communications interface that interfaces to a

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communications network for transferring the selected digital image files to the service provider. However, Hashimoto et al discloses that it is well known to use a card interface circuit (14) for use with various transmitting means such as a LAN card, a modem card for a conventional wired telephone or cellular phone communications, SCSI interface, etc as alternative methods of transferring information to a communications network (col. 7, lines 2-14). Once the user is prepared to transmit images, the user activates the transmit switch (fig. 13B) for sending a command to initiate transfer of the images. It would have been obvious to use this I/O device in Anderson et al for the purpose of sending information to a service provider for further processing. Therefore, it would have been obvious to one having ordinary skill in the art to include a communications interface for transferring selected digital images to the service provider.

Claim 4 is analyzed and discussed with respect to Claim 3. (See rejection of Claim 3 above.)

Claim 5 is analyzed and discussed with respect to Claim 3. (See rejection of Claim 3 above.)

Claim 6 is analyzed and discussed with respect to Claim 3. (See rejection of Claim 3 above.)

Claim 7 is analyzed and discussed with respect to Claim 3. (See rejection of Claim 3 above.)

Regarding Claim 10, Anderson et al fails to specifically disclose the utilization file includes the file type do each image file. However, Hashimoto et al teaches an image

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data compression/expansion circuit (12) that compresses image data using JPEG, GIFF, MPEG or any well-known methods of compression (col. 6, lines 62+). Hashimoto et al further teaches that the images are stored in the memory in which the types of image files are identified (see fig. 12). This allows the service provider to have capabilities of manipulating data using the same format for viewing the images. Therefore, it would have been obvious to one having ordinary skill in the art to modify Anderson et al by including the use of a file type for each digital image file, such as JPEG, in which compression of an image is performed.

Claim 11 is analyzed and discussed with respect to Claim 10. (See rejection of Claim 10 above.)

Claim 16 is analyzed and discussed with respect to Claim 3. (See rejection of Claim 3 above.)

Claim 17 is analyzed and discussed with respect to Claim 5. (See rejection of Claim 5 above.)

Claim 18 is analyzed and discussed with respect to Claim 10. (See rejection of Claim 10 above.)

Claim 19 is analyzed and discussed with respect to Claim 11. (See rejection of Claim 11 above.)

Allowable Subject Matter

4. Claims 8, 9, 12, 13, and 20-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claim 8, the prior art neither teaches nor fairly suggests an electronic still camera for capturing images that can be transferred to a service provider for storage comprising an image sensor, an analog-to-digital converter, a removable memory, an internal memory, a processor, a display, and a user interface for scrolling through the plurality of digital images stored on the removable memory card in order to display and select particular digital images to be transferred to the service provider, wherein the utilization file includes the name of at least one digital image file to be transferred to the service provider and the processor stores the utilization file on the removable memory card separate from the digital image files, as claimed in Claim 1, wherein **the user interface selects at least one group of users to provide permission to view the images stored by the service provider.**

Regarding Claim 12, the prior art neither teaches nor fairly suggests an electronic still camera for capturing images that can be transferred to a service provider for storage comprising an image sensor, an analog-to-digital converter, a removable memory, an internal memory, a processor, a display, and a user interface for scrolling through the plurality of digital images stored on the removable memory card in order to display and select particular digital images to be transferred to the service provider,

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wherein the utilization file includes the name of at least one digital image file to be transferred to the service provider and the processor stores the utilization file on the removable memory card separate from the digital image files, as claimed in Claim 1, wherein **the utilization file further includes a camera owner name and a mailing address of such camera owner.**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacqueline Wilson whose telephone number is (703) 308-5080. The examiner can normally be reached on 8:30am-5:00pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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JW

11/15/04


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